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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

CHRISTOPHER ADAM DOLLAR,

Petitioner,

v.

GREGORY SMITH, et al.,

Respondents.

Case No. 2:13-cv-01952-JCM-GWF

ORDER

On August 26, 2015, this court dismissed without prejudice petitioner Christopher Adam Dollar's counseled petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 because it was wholly unexhausted (ECF No. 30). Dollar appealed, and on October 10, 2017, the Ninth Circuit Court of Appeals reversed and remanded, concluding that this court should have treated the petition as procedurally defaulted and should have analyzed whether Dollar could demonstrate cause and prejudice to excuse the default (ECF No. 37).

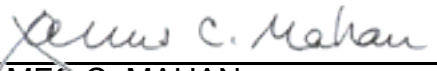
Accordingly, the court now directs the parties to file an answer to the petition and any reply. The parties shall also raise and/or renew any arguments regarding whether, in light of *Martinez v. Ryan*, 566 U.S. 1 (2012), Dollar can demonstrate cause and prejudice to excuse the procedural default.

**IT IS THEREFORE ORDERED** that, within **forty-five (45) days** of the date of this order, respondents shall file an answer to the petition in conformance with this order.

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**IT IS FURTHER ORDERED** that petitioner shall file his reply, if any, within **thirty (30) days** of the date that respondents file an answer.

DATED: November 28, 2017.

  
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JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE